

1. Plaintiffs, residents of the City of Aurora, State of Ohio, filed this action September 21, 2010.
2. Defendant was properly served with the Summons and Complaint through its registered agent by regular U.S. mail November 8, 2010 after the initial certified mail was returned “unclaimed.”
3. As of the filing of this motion, the Defendant has not filed a Notice of Appearance, nor any responsive pleading, with this Court.
4. Plaintiffs properly filed this action under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter the “FDCPA”). Plaintiffs’ Complaint alleges violations of the FDCPA by Defendant in attempting to collect an alleged debt from Plaintiffs.
5. On December 20, 2010, Plaintiffs filed an Application for Entry of Default.

6. On January 13, 2011, the Clerk of Court found that Defendant failed to file an answer or otherwise sufficiently plead to the Summons and Complaint filed by Plaintiffs, and that Defendant was otherwise subject to default as provided by the Federal Rules of Procedure.

7. Pursuant to Federal Rule of Civil Procedure 55(a), an Entry of Default was entered against Defendant on December 21, 2010 by the Clerk of Court.

8. The Court has reviewed the Declarations of the Plaintiffs, the Declaration of Plaintiff's counsel and Plaintiff's exhibit of attorney time entries for this matter.

9. The Court finds that Defendant violated the FDCPA as follows:

- a. Communicating with a person other than the actual consumer debtor more than once in connection with the collection of the alleged debt, in violation of 15 U.S.C. § 1692b(3);
- b. Causing a telephone to ring or engaging Plaintiffs in conversation repeatedly and continuously with the intent to annoy, abuse or harass, in violation of 15 U.S.C. § 1692d(5); and
- c. Communicating with Plaintiffs after Defendant had been advised that they were represented by an attorney with respect to the alleged debt, in violation of 15 U.S.C. § 1692c(a)(2).

Pursuant to 15 U.S.C. § 1692k(a) the Court finds that good cause is shown for each of the violations of said statute by the Defendant and awards statutory damages to Plaintiffs in the amount of \$1,000 each.

Further, pursuant to 15 U.S.C. § 1692k(a)(3), under the FDCPA, a plaintiff can recover from a debt collector "in the case of any successful action to enforce the foregoing liability, the costs of the action, together with a reasonable attorney's fee as determined by the court..."

The Court has reviewed Plaintiffs' Exhibits 3 and 4 reflecting the amount of attorneys' fees and court costs incurred by Plaintiffs in the prosecution of this action and copies of the time entries reflecting the work for which Plaintiffs are seeking compensation for their attorneys' fees and finds that good cause is shown for the award of reasonable attorney fees and costs.

WHEREFORE, the Court awards a judgment in favor of Plaintiffs, PHILLIP DEYOUNG and SANDY DEYOUNG, and against Defendant, RELIANT RECOVERIES, INC., as follows:

a.	Statutory Damages for Phillip DeYoung	\$1,000.00
b.	Statutory Damages for Sandy DeYoung	\$1,000.00
c.	Attorneys' Fees	\$2,318.50
d.	Court Costs	\$ 350.00
	TOTAL JUDGMENT	\$4,668.50



Judge, United States District Court
Northern District of Ohio



Dated